

CURTIN Declaration

**DECLARATION BY LISA CURTIN IN SUPPORT OF PETITIONS FOR
RECONSIDERATION OF THE ORDERS TO SHOW CAUSE**

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I, Lisa Curtin, provide this Declaration to answer some of the questions raised by the United States Patent and Trademark Office ("USPTO") in the Orders to Show Cause issued June 2009 ("the Orders") as well as in a number of Decisions rendered by the USPTO on Petitions filed in response to earlier issued Orders to Show Cause.

I am a U.S. citizen, of legal age, and a resident of Queens, New York. I am making the statements in this Declaration based on my own personal knowledge and belief. Where I have referred to or relied upon documents in making any of my statements, they are documents that I have personal knowledge of based on my recollection and past experience, and/or have reviewed in connection with preparing this Declaration.

1. I am currently employed by Enzo Biochem, Inc. ("Enzo") as a paralegal.
2. I started my employment with Enzo on a part time basis in January 1993. Ronald C. Fedus, Esq., Enzo's Patent and Corporation Counsel, engaged me at that time in order to provide paralegal litigation support services in connection with an ongoing litigation in which Enzo was involved. On January 1, 1994, I became a full-time employee of Enzo.

3. Over the years my duties at Enzo have been to provide assistance to counsel, corporate officers and marketing and sales executives in all legal matters and in all areas of the corporation's business, including Enzo's subsidiaries.

4. Prior to my employment with Enzo, I was employed by Lieberman & Nowak, LLP as a paralegal from January 1990 through December 1992.

5. I graduated from the Bronx High School of Science in 1970, and from Herbert H. Lehman College of the City University of New York in 1974 with a BA in English. I graduated in June of 1993 from New York University's Institute For Paralegal Studies, which program is fully accredited by the American Bar Association. I am not an attorney.

6. I have read the Orders and I understand that the USPTO is requiring an explanation of Enzo's docketing practices and procedures in responding to Office communications, such as Office Actions and Notices of Abandonment from December 23, 1992 through November 29 2005. I am familiar with Enzo's docketing procedures during the time I had that responsibility which is from about June 1997 through about April 2003.

7. When I started working part time for Enzo in January of 1993, Enzo was located at 575 Fifth Avenue, New York, New York 10017. At that time, most of the work relating to patent prosecution was done by Ronald C. Fedus, Esq., Enzo's sole in-house attorney.

8. In June of 1996 Enzo moved its Manhattan corporate offices from 575 Fifth Avenue, New York, New York, 10017 to 527 Madison Avenue, New York, New York 10022

9. Sometime around June of 1997, I created a Microsoft Word table document in order to serve as an electronic calendar for keeping track of patent prosecution matters and which table could be used as a docketing tool.

10. At the time I began to docket prosecution matters, the legal department's secretary would place documents that needed to be docketed, such as Official Communications, including Office Actions, and the like, into a wire basket which was located in a central location easily accessible to employees. At least as often as twice a month, and often as frequently as weekly, I would review each document in the basket in order to ascertain various dates on which matters needed to be attended to. I would hand-write those dates and the actions associated with and/or required on those dates onto a legal pad in chronological order, by individual matter. I would then give the pad to the legal department's secretary who would then type my handwritten entries into the Microsoft Word table document (hereinafter the "Table Docket"), which consisted of monthly page(s) by year, i.e., June 1997, July 1997, August 1997, etc. Each of these monthly page(s) constituted a docket in and of itself ("Docket Reports"). Office Actions were docketed for reply at monthly intervals for every month going forward from the date the Office Action issued, up to six months following the Office Action issue date. As an example, if I had before me for docketing a Non-Final Office Action ("the NF OA") dated September 1, 1993 in connection with patent application ABC ("ABC"), I would docket: 1) the date of issuance of the NF OA as September 1, 1993; and 2) I would docket October 1, 1993 as one (1) month after the NF OA issued in connection with ABC; 3) November 1, 1993 as two (2) months after the NF OA issued in connection with ABC; 4) December 1, 1993 as three (3) months after the NF OA issued in connection with ABC; 5) January 1, 1994 as four (4) months after the NF OA issued in connection with ABC; 6) February 1, 1994 as five (5) months after the NF OA issued in

connection with ABC; and 7) March 1, 1994 as six (6) months after the NF OA issued in connection with ABC. After the legal department secretary typed my docket entries into the Table Docket, she would hand me a printout of the Table Docket, and I would check to see that she properly entered my handwritten notes into the Table Docket. Starting in February 2000, I began to input the dates directly into the Table Docket. The Table Docket did not automatically calculate due dates for prosecution matters, nor did the Table Docket automatically remove docket entries nor did it reset and/or recalculate deadlines. Docket entries such as due dates for responses and/or actions to be taken, were mentally calculated by me, and were manually entered into the Table Docket. Dates were generally not removed from the Table Docket, even after a response was filed or an action was taken. Accordingly, the docket did not always reflect the actual status of an application, i.e., the presence of a docket entry in the Table Docket did not necessarily mean that a response still needed to be filed or an action still needed to be taken.

11. Prior to February 2000, after I had checked the legal department's secretary's entries into the Table Docket, and had her make any corrections necessary, I would have the secretary print out either the entire Table Docket (if there were docket entries made to numerous Docket Reports), or, only the Docket Reports that had been updated (if only a few docket entries had been made to only a few Docket Reports). The secretary would then either: a) place the entire printout of the Table Docket into a looseleaf binder which was stored alongside the basket described in paragraph 10 above, discarding the prior Table Docket contained in the looseleaf; or b) remove from the looseleaf all Docket Reports that had been updated, and place the updated Docket Reports into the looseleaf binder. At any given point, the entire Table Docket was contained in this looseleaf binder (in addition to being electronically stored on the secretary's computer. A photocopy of each hard copy printout of each updated monthly Docket Report

containing the newly entered information was also provided to Mr. Fedus as they were printed. From February 2000 through April 2003 I undertook all of the foregoing steps performed by the secretary.

12. Docket Report(s) were given to Mr. Ron Fedus on at least a monthly basis. I did this by leaving a copy of the Docket Report(s) on Mr. Fedus's chair. While typically, I did not discuss with Mr. Fedus the entries on the Docket Report, I did routinely highlight with a yellow marker especially urgent deadlines which appeared on the Docket Report(s) I provided to him.

13. Space was tight at 575 Fifth Avenue, with no separate storage areas allocated for patent files. Space was also tight at 527 Madison, even though it was a larger space than 575 Fifth, and had a separate storage area with open shelving in which files could be stored. While some prosecution files were stored in this defined space, the bulk of the separate storage area at 527 Madison contained litigation files and papers. We did not have adequate drawer space in either location for all of the prosecution files, nor did we have enough separate storage space together with drawer space at 527 Madison to store all the prosecution files. I recall that some patent prosecution files were stored in drawers and in legal-sized transfiles in both offices, and both the drawers and the transfiles were often in physically high locations that were difficult to access. This is not to say that files were randomly strewn about in disorderly fashion, but it was difficult to locate files and difficult to access them due to the cramped conditions. Nevertheless, on occasion, I would pull out files that needed responses, if I could locate and access them, and I would place those files on Mr. Fedus's chair as deadlines loomed. I would also have the legal department secretary scan Office Actions into WORD documents and make copies of any art cited by Examiners. For some cases, I drafted the skeletons of responses to Office Actions,

adding text from the scanned Office Actions into the draft responses in order to make it easier for Mr. Fedus to reply to the Office Actions.

14. As noted in paragraph 10 above, it was not my routine to remove or cause the legal department's secretary to remove any docket entries from the Table Docket once a docket entry was entered into the Table Docket. As also noted in paragraph 10 above, it was not apparent from the Table Docket alone, or for that matter from the Docket Reports themselves whether a reply was in the process of being prepared, or in fact had been prepared, or had been prepared and mailed to the USPTO, or had not yet been prepared. Thus, one could not usually tell from the Table Docket and/or the Docket Reports alone whether a given application was pending or abandoned. I generally became aware of abandonment of an application upon my seeing a Notice of Abandonment issued by the USPTO in the aforescribed wire basket.

15. As noted in paragraphs 10 and 13 above, as the status of an application could not be determined solely from the Table Docket and/or Docket Reports, it was often necessary to pull out and review the actual patent prosecution files themselves in order to ascertain the status of an individual application. As also noted above, it was often hard to physically get to those files due to the cramped storage conditions

16. Mr. Fedus kept a "chron" file, which consisted of a large black three-ring looseleaf binder labeled as his Chron File, in which he placed copies of everything he had worked on in chronological order. When the Chron File looseleaf binder became full, he would transfer the looseleaf binder contents into soft cover binders, and those binders would be labeled as monthly chronologies, with labels bearing his name and the time frame of the papers contained in the binder. Those binders were stored, as best as I recall, in a separate storage area at 527 Madison

Avenue; I do not recall where these binders were stored at 575 Fifth. At some point, his soft-covered chronos were shipped offsite to Enzo's Farmingdale location. After the initial Orders to Show Cause issued in July 2008, Mr. Fedus and I made several trips to Farmingdale to see if we could find his chronos. We were not successful and could not locate them.

17. When a Notice of Abandonment came to my attention, my general practice was to docket it for revival at monthly intervals from the date of abandonment up until the one year anniversary date of the date of abandonment. I would also docket the application for revival utilizing the date of issuance of the Notice Of Abandonment as a starting date. Using the example set out in paragraph 10 above, if I received a Notice of Abandonment dated April 15, 1994 for failure to respond to an Office Action mailed on September 1, 1993, I (or the legal department's secretary, as instructed by me) entered in the Table Docket a revival date reminder on a monthly basis from the date of abandonment (which abandonment date was not expressly stated in the Notice of Abandonment). In the example at hand, I would have docketed the date of the issuance of the Notice of Abandonment, i.e., April 15, 1994 with a notation that the application was abandoned for failure to respond to NF Office Action which issued Sep. 1, 1993; Application abandoned as of December 1, 1993. I would have also docketed May 15, 1994 as: Revive, one month after issuance of 4/15/94 Notice of Abandonment; Application abandoned 12/1/93 for failure to respond to 9/1/93 NF OA. Likewise, I would have docketed June 15, 1994 as: Revive, two months after issuance of 4/15/94 Notice of Abandonment; Application abandoned 12/1/93 for failure to respond to 9/1/93 NF OA. In addition to docketing from the date of the issuance of the notice of abandonment with entries for the subsequent two or three months, I would also have made docket entries calculated from the actual date of abandonment of the application, namely, I would have docketed an entry for May 1, 1994 as 5 months after NF OA application

was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!. I would have docketed further as follows: a) June 1, 1994 as 6 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; b) July 1, 1994 as 7 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; c) August 1, 1994 as 8 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; d) September 1, 1994 as 9 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; e) October 1, 1994 as 10 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; f) November 1, 1994 as 11 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application!; and g) December 1, 1994 as 12 months after NF OA application was abandoned on December 1, 1993 for failure to respond to NF OA issued September 1, 1993, along with a notation to Revive the Application, with an additional notation as ABSOLUTELY LAST DAY TO REVIVE!!!.

18. After docketing, the papers from which the docket entry dates were extracted were placed in their respective files by me, or the legal department's secretary. It was not my practice to undertake any investigation as to the circumstances surrounding the abandonment of an application.

19. Sometime after attorney Natalie Bogdanos joined Enzo in April, 2003, I stopped docketing, and I continued with my other duties at Enzo, such as contract administration and drafting documents (including production distribution and licensing agreements, collaborative scientific research agreements, material transfer agreements, product testing and production agreements, confidentiality agreements (drafting, reviewing and negotiating individual, academic and corporate agreements with third parties under an attorney's direction), employment matters, including consulting and option agreements, reviewing real property leases for clinical lab services), litigation assistance, trademark matters, research, specialized database searches, and other diverse non-routine matters.

20. Exhibits A-E attached to my Declaration are copies of some of my Docket Reports. These Exhibits illustrate how I docketed dates relative to, among other things, USPTO matters, such as and without limitation, Office Actions and Notices of Abandonment. To maintain Enzo confidentiality, docket information for Enzo applications or patents not listed on the Order, and the names of other individuals or businesses) have been redacted as indicated by "nn" and asterisks, respectively.

21. The attached page from the September 1997 Docket Report (Exhibit A) shows an entry for Enz-52 (Enzo's internal designation for the 08/182,621 ('621) application) on the ninth of that month with the notation of "... (5 mos.)" While I no longer recall specifics of entries I made at that time, based on the entire entry for Enz-52 appearing in Exhibit A, I take the notation of "... (5 mos.)" to mean that the docketed date of September 9, 1997 is the fifth month following the issuance of an Office Action on April 9, 1997 and that a reply to that Office Action may be filed with extensions of time, if, in fact the reply had not already been filed. I have checked the

Docket Report for October 1997 and did not find an entry for the sixth month date following the 4/9/97 Office Action which issued in connection with Enzo's '621 patent application (Enz-52). I do not know why there is no docket entry for the 6 month date.

22. The attached page from the November 1997 Docket Report (Exhibit C) shows an entry to revive the '621 application on the eleventh. This 11/11/97 entry also includes a notation that indicates that the 6 month deadline to respond to the 4/9/97 Office Action on 10/9/97 had passed in connection with the '621 application (Enz-52). Again, while I no longer recall specifics of docket entries made at that time, I take this entry to indicate that it is possible that no response was filed to the 4/9/97 Office Action on or before the sixth month date following the issuance of that Office Action.

23. The attached page from the January 1998 Docket Report (Exhibit D) shows an action item for the '621 application (Enz-52) on January 2nd - to ascertain whether a Notice of Abandonment had been received. This Exhibit also shows Docket Report entries relative to four patent applications that were made on: January 4th (one entry), January 5th (one entry), and on January 7th (two entries). These dates are all dates that are five months following the issue dates of Office Actions in the four patent applications. On January 9th, the first month following an Office Action is docketed for an application and on January 14th, the fourth month following an Office Action is docketed for another application.

24. The attached page from the February 1998 Docket Report (Exhibit E) shows that a petition to revive the '621 (Enz-52) application was filed February 3, 1998, which is consistent with the date given on page 8 of the Order of June 2008 issued relative to the '621 application. I note that on page 8 of the Order of June 2008 issued relative to the '621 application, it is

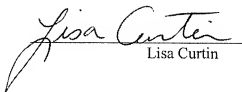
indicated that this petition was filed 83 days after the mail date of the Notice of Abandonment. This Docket Report also shows entries for February 4th and 5th which docketed dates are a full six months after Office Actions issued in connection with those two Enzo applications that were docketed at five months following issuance of Office Actions, i.e., in January 1998 (see paragraph 22 above). On February 6th, three applications were docketed at the one month interval from the January 6, Office Actions which issued in connection with each application. On February 7th, two more applications were docketed for the full six month period; these applications had also been docketed on the January Docket 1998 Report at the five month date. On February 9th, one application is docketed as being the second month following the issuance of the Office Action; this application had also been docketed on the January 1998 Docket Report at the first month following the Office Action issuance. Also noted on February 9th was that the petition filed November 26, 1997 in the 08/574,443 ('443) (Enzo's designation Enz-53) application was granted.

25. The attached page of the July 1998 Docket Report (Exhibit F) shows that the one (1) year anniversary date for revival of the '621 application was also docketed for July 9th (apparently docketed twice in this Docket Report, once with and once without Enzo's internal designation being noted), which July 9th date is five (5) months after the petition to revive was actually filed on February 3, 1998. This demonstrates that I customarily did not remove a docket entry upon the completion and mailing to the USPTO of a response to a Notice of Abandonment. I also note that the receipt of an Office Action for Enz-57 (Enzo's designation for the 08/876,635

application listed on the Orders) was noted in the July 1998 Docket Report as having issued on July 7, 1998.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

July 22, 2009



Lisa Curtin

Attachments: Exhibits A-F

AH/cgr

EXHIBIT A**September 1997**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
9/1/97	ENZ-nn(EPO) - ***** would like our comments in preparation for 10/1/97 filing	JJS	Request for further processing & divisional filed 10/1/97
9/3/97	ENZ-nn(EPO) - Appeal against decision revoking patent due	JJS	Done - Statement of grounds filed 11/3/97
9/5/97	ENZ-nn(EPO) - Statement of grounds due - assumes appeal was filed 7/5/97	JJS	Appeal & statement filed 9/5/97
9/7/97	ENZ-nn(CANADA) - Response to 3/7/97 OA must be filed in order to avoid abandonment	JJS	Done - includes status of US/EPO - filed 9/7/97
9/9/97	ENZ-52 - Response to 4/9/97 OA (5 mos.)	RCF?	
9/10/97	ENZ-nn(JAPAN) - Patent published for opposition purposes	RCF	
9/11/97	ENZ-nn(EPO) - Sequence listing filed	RCF	
9/12/97	ENZ-nn(EPO) - Statement of grounds must be filed	JJS	Done 11/12/97
9/13/97	ENZ-nn - Response to 6/13/97 OA due (final)	JJS?	Done
9/14/97	ENZ-nn - Sequence listing must be filed	RCF	
9/15/97	ENZ-nn - Supp. Amend. to 7/28/97 Amend. in Response to 1/27/97 OA filed	JJS	
9/15/97	ENZ-nn - Transmittal filed		Self addressed stamped postcard bearing PTO mailroom stamp dated 9/15/97 received back
9/16/97	ENZ-nn - Sequence claims amended	JJS	
9/18/97	ENZ-nn(JAPAN) - Response to 6/18/97 OA filed. Associates awaiting instructions for JJS re supplemental response	JJS	Filed 9/18/97
9/18/97	ENZ-nn(EPO) - Decision to grant issued		Fees paid, divisional filed - do we need new claims for another div.?
9/22/97	ENZ-nn(EPO) - Response due - inextensible	RCF	Done

EXHIBIT B**October 1997**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
10/1/97	ENZ-nn(EPO) - Request for further processing and response to official communication due - inextensible, plus div. filed 10/1/97		Done 10/1/97 and divisional filed
10/1/97	ENZ-nn(DIV1)(JAPAN) - Last day to respond to OA - inextensible	JJS	Filed 10/1/97
10/1/97	ENZ-nn(DIV6)(EPO) - Advise associates to request further processing of withdrawn application	?	
10/2/97	ENZ-nn(JAPAN) - Last day for others to oppose grant of this Jap. Patent (laid open 4/2/97)		
10/7/97	ENZ-nn(DIV1)(JAPAN) - Associates advised that Japanese Patent App. No. 8-294217 was laid open this date under laying open No. 9-262087	RCF	
10/13/97	ENZ-nnDIV1(JAPAN) - Authorized associates to amend claims	JJS	Divisional filed
10/14/97	ENZ-nn(EPO) - Further processing of application was allowed by European Patent Office	RCF	
10/15/97	ENZ-nn(DIV1)(JAPAN) - Response to OA due - non-extensible	JJS	Done
10/15/97	ENZ-nn(JAPAN) on 10/13/97 JJS instructed associates to respond to OA - response due 10/15/97	JJS	Done
10/15/97	ENZ-nn(JAPAN)	JJS	Filed 10/15/97
10/16/97	ENZ-nn(EPO) - Provide required info to associates (see 9/17/97 letter) so they can prepare for oral argument	RCF/JJS	Done - JJS to review & Renata arguments to prepare
10/19/97	ENZ-nn(DIV1)(EPO) - JJS and RCF to discuss whether divisionals are to be filed and text of allowed patent app. approved (both due 12/14/97)	RCF/JJS	Done
10/19/97	ENZ-nn(DIV1)(JAPAN) - JJS/RCF to discuss whether to file divisional	RCF/JJS	
10/20/97	ENZ-nn(JAPAN) - Response to Advisory Office Action will be filed	JJS	Done
10/22/97	ENZ-nn(EPO) - oral argument		Done

10/24/97	ENZ-nn(DIV2)(JAPAN) Associates acknowledged instructions to file divisional of ENZ-nn(DIV1)(JAPAN)		Done
10/25/97	ENZ-nn(DIV6)(C2) - Clock restarted 6/25/97; 10/25/97 is 4 mo. deadline (not clear if 6 mo. deadline is feasible)	RCF/JJS	Done by RCF
10/28/97	ENZ-nn(EPO) - Associates would like advice re appealed decision (see 8/22/97 letter)	JJS	Done
10/28/97	ENZ-nn(DIV1)(JAPAN) - Interview with examiner scheduled to present amendment		Done
10/28/97	ENZ-nn(DIV2)(JAPAN) - Divisional application will be filed		Done
10/28/97	ENZ-nn(DIV2)(EPO) - Substantiation of appeal with petition of 8/20/97 filed		Done
10/29/97	ENZ-nn(DIV1)(JAPAN) - Was patent published? (2 mos. after grant)		Done
10/29/97	ENZ-nn(EPO) - Mention of grant to be published - patent effective as of this date		Done
10/31/97	ENZ-nn(JAPAN) - Advise associates if proposed amendment is acceptable	JJS	Done - 11/4/97

EXHIBIT C**November 1997**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
11/1/97	ENZ-nn - Response to 5/13/97 Communication & Request for further processing due	JJS	Done (may need supplement) - Decision that app. was deemed revoked was withdrawn 11/20/97
11/1/97	ENZ-nn - Application abandoned		
11/2/97	ENZ-nn - Response to 10/2/97 OA due (1 mo.)		
11/3/97	ENZ-nn(EPO) - Inextensible term to file grounds of appeal	JJS	Done
11/3/97	ENZ-nn(EPO) - Provide supplemental evidence that Kourilsky nonenabling	JJS/RCF	
11/4/97	ENZ-nn - Response to <u>final</u> OA due		
11/5/97	ENZ-nn - Response to <u>final</u> OA due		
11/7/97	ENZ-nn(JAPAN) - Last day for others to oppose this patent (6 mos. After May 7, 1997 publication date)		
11/7/97	ENZ-nn - Response to 8/7/97 OA due (3 mos.) [Note: this should have been a Final Action - but the OA is not marked as such]	JJS	Amendment and Request for 1 month Ext. of time filed 11/10/97
11/7/97	ENZ-nn - Response to 8/7/97 OA due (3 mos.)		
11/7/97	ENZ-nn(JAPAN) - Provide JJS with additional lit refs and/or experimental results confirming a stable double-stranded DNA can be formed with Sig at the positions specified in the claims.	JJS	Amcndment filed 11/14/97. Ar further lit refs/exper. results needed?
11/7/97	ENZ-nn - Revive (abandoned Nov. 28, 1996 for failure to respond to Aug. 28, 1996 OA).		
11/10/97	ENZ-nn(CANADA) - Ask associates to review & comment on this matter (response to OA due 12/20/97).		Done by LC
11/10/97	ENZ-nn - Discuss filing of sequence listing	RCF	
11/11/97	ENZ-52 - Revive (10/9/97 6 mo. deadline to respond to 4/9/97 OA passed)		
11/12/97	ENZ-nn(EPO) - Grounds for appeal brief due	JJS	Instructed associates to proceed 11/10/97 - filed 11/12/97

EXHIBIT D**January 1998**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
1/2/98	ENZ-52 - If notice of abandonment not received, do status check in PTO - last OA was 4/9/97	LC	lft voice mail with examiner on 12/30/97 advising notice of abandonment not yet received
1/4/98	ENZ-nn - 5 months after final OA - response due		
1/5/98	ENZ-nn - 5 months after final OA - response due		
1/7/98	ENZ-nn - 5 months after final 8/7/97 OA - response due		
1/7/98	ENZ-nn - 5 months after 8/7/97 OA - response due		
1/8/98	ENZ-nn(DENMARK) - Response to 7/8/97 OA due	JJS	Response filed late - app. abandoned & reinstated per associates 4/28/98 letter
1/9/98	ENZ-nn(CANADA) - Response to OA due - inextensible	RCF	Associates filed response this date
1/9/98	ENZ-nn - 1 month after issuance of 12/9/97 final OA.		
1/9/98	ENZ-nn - Assignment recorded, reel 9048, frame 0698		
1/10/98	ENZ-nn - Oath/Declaration must be filed & surcharge paid	RCF	Filed 1/9/98 self-addressed postcard received back in office.
1/12/98	ENZ-nn(CANADA) - First annual maintenance fee due on application no. n,nnn,nnn		
1/14/98	ENZ-nn(CIP) - Filed	RCF	Green postcard stamped 1/16/98 by PTO mailroom received back in office
1/14/98	ENZ-nn - 4 mos. after 9/14/98 final OA		
1/16/98	ENZ-nn(CANADA) - In response to 10/16/97 acknowledgement of Request for Exam, submit IDS and voluntary amendment, if appropriate, to conform claims to those of allowed foreign counterparts (no deadline)		
1/16/98	***** - Conference call 1/19/98 @2:30pm		
1/17/98	ENZ-nn(EPO) - Inextensible - grant/printing fees due, translations must be filed, and additional claims fees must be paid		Told ***** to proceed 12/17/97

EXHIBIT E**February 1998**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
2/3/98	ENZ-nn - Response to 9/23/97 OA due	JJS	Response filed
2/3/98	ENZ-nn - Divisional Application Filed		postcard received back - stamped 2/3/98, no serial no.
2/3/98	ENZ-nn(DIV2) - Divisional Application Filed		postcard received back - stamped 2/3/98, no serial no.
2/3/98	ENZ-nn - Petition to Revive Application Serial No. '621 filed 1/13/94 - filed this date		Granted 4/15/98
2/3/98	ENZ-nn - Continuation Application under rule 1.60 filed		postcard received back - stamped 2/3/98, no serial no.
2/4/98	ENZ-nn - Rcsponse to Final OA due (6 mos.)	JJS	
2/5/98	ENZ-nn - Response to 8/5/97 Final OA due (6 mos.)	RCF	filed, postcard received back from PTO
2/6/98	ENZ-nn - Response to 1/6/98 Final OA due (30 days)		
2/6/98	ENZ-nn - Response to 1/6/98 non-final OA due (30 days)		
2/6/98	ENZ-nn - Response to 1/6/98 Non-final OA due (30 days)		
2/6/98	Enz-2(C5) - Petition to revive filed 11/26/97 granted		
2/7/98	ENZ-nn - Response to 8/7/97 OA due (6 mos.).	RCF	Filed 2/9/98
2/7/98	ENZ-nn - Response to Final OA due (6 mos.)	JJS	
2/7/98	ENZ-nn(EPO) - Associates would like instructions re responding to 2/16/98 OA due date.		
2/9/98	ENZ-nn - 2 months after issuance of 12/9/97 final OA.		
2/9/98	ENZ-53 - Petition to revive filed 11/25/97 granted		
2/14/98	ENZ-nn - 5 mos. after 9/14/98 final OA		
2/15/98	ENZ-nn(CANADA) - Response to OA due		

EXHIBIT F**July 1998**

<u>Date</u>	<u>Case/Next Steps</u>	<u>Attorney</u>	<u>Status</u>
7/1/98	ENZ-nn - Office communication issues re restriction		
7/2/98	ENZ-nn(EPO) - Inextensible - Request further processing (observations and fee due)		
7/2/98	ENZ-nn(JAPAN) - Response to 3/12/98 OA filed		
7/2/98	ENZ-nn(JAPAN) - Response to 3/12/98 OA filed		
7/5/98	ENZ-nn - Sequence listing due (1 mo.)		
7/6/98	ENZ-nn - 6 mos. after 1/6/98 Final OA		
7/6/98	ENZ-nn - 6 mos. after 1/6/98 non-final OA		
7/6/98	ENZ-nn(EPO) - Associates provide comments to 5/27/98 second communication		
7/6/98	ENZ-nn - Amendment request for Ext. of time (3 mos.) Nt of Appeal and Request for withdrawal of finality of OA filed		
7/6/98	ENZ-nn - Amendment, Transmittal and request for ext. of time (3 mos.) filed		
7/6/98	ENZ-nn(JAPAN) - Official notification of registration of exclusive license for Japanese Patent No. nnnn received (SUNY to ENZO)		
7/7/98	ENZ-nn - 2 mos. after 5/7/98 OA.		
7/7/98	ENZ-57 - Non-final OA issues		
7/7/98	ENZ-nn(JAPAN) - OA issued		
7/7/98	ENZ-nn(JAPAN) - OA issues		
7/9/98	ENZ- - Last day to revive (last OA dated 4/9/97)		
7/9/98	ENZ-52 - Revive (4/9/97 OA not responded to) or ASAP NOTE: Really must be revived within 3 mos. of Notice of Abandonment!		
7/9/98	ENZ-nn - White postcard stamped as received docs. filed 7/6/98 on this date		
7/13/98	ENZ-nn - Associates provide comments to JJS regarding opponents, ** and ***** AG, response briefs.		